

Message

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**From:** Bowles, Jack [Bowles.Jack@epa.gov]  
**Sent:** 9/17/2018 11:20:39 PM  
**To:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]; Branning, Hannah [Branning.Hannah@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Molina, Michael [molina.michael@epa.gov]; DeBell, Kevin [debell.kevin@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Wooden-Aguilar, Helena [Wooden-Aguilar.Helena@epa.gov]; Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; EOC Public Information [EOC\_Public\_Information@epa.gov]; Lee, Eugene [Lee.Eugene@epa.gov]; Oh, Peter [Oh.Peter@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Hull, George [Hull.George@epa.gov]; Shiffman, Cari [Shiffman.Cari@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]; Lewis, Josh [Lewis.Josh@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Harlow, David [harlow.david@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Eoc, Epahq [Eoc.Epahq@epa.gov]; EOC\_Manager, [EOC\_Manager@epa.gov]; Johnson, Laura-S [Johnson.Laura-S@epa.gov]; Pritchard, Eileen [Pritchard.Eileen@epa.gov]; Burton, Tamika [burton.tamika@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Gaines, Cynthia [Gaines.Cynthia@epa.gov]; Willis, Sharnett [Willis.Sharnett@epa.gov]; EOC Public Information [EOC\_Public\_Information@epa.gov]; EOC GOV [EOC\_GOV@epa.gov]  
**Subject:** FW: Fuel Waiver for North Carolina  
**Attachments:** Signed NC Fuel Waiver 9.17.18.pdf

FYI, transmittal email to NC governor's office and NC DENR.

Best,  
Jack

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**From:** Bowles, Jack  
**Sent:** Monday, September 17, 2018 7:16 PM  
**To:** 'kristi.jones@nc.gov' <kristi.jones@nc.gov>; 'jim.mccleskey@nc.gov' <jim.mccleskey@nc.gov>; 'michael.regan@ncdenr.gov' <michael.regan@ncdenr.gov>; michael.abraczinskas@ncdenr.gov; 'sheila.holman@ncdenr.gov' <sheila.holman@ncdenr.gov>  
**Cc:** Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Cook-Shyovitz, Becky <Cook-Shyovitz.Becky@epa.gov>  
**Subject:** Fuel Waiver for North Carolina

Good Evening,

U.S. EPA Acting Administrator Andrew Wheeler has signed a fuel waiver for the state of North Carolina, in response to the state's request of September 17, 2018. The waiver allows the use of red dyed 15 parts per million (ppm) non-road locomotive and marine (NRLM) diesel fuel in diesel-powered highway vehicles in the State of North Carolina. This waiver is needed due to diesel fuel supply interruptions given the unprecedented magnitude of rainfall from Hurricane Florence and the resulting devastating impacts to multiple population centers throughout the State.

The signed waiver is attached. If you have any questions, please do not hesitate to contact any of us here at EPA.

Best Regards,

*Jack Bowles*

Director of State & Local Relations  
U.S. Environmental Protection Agency  
202-564-3657 (office) | **Ex. 6** (mobile)

ED\_002583A\_00000001-00001



Message

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**From:** Ebbs, Stephanie [Stephanie.Ebbs@abc.com]  
**Sent:** 9/18/2018 10:07:32 PM  
**To:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**CC:** Press [Press@epa.gov]; EOC Public Information [EOC\_Public\_Information@epa.gov]  
**Subject:** Re: EPA Hurricane Florence Update Tuesday, September 18, 2018

Gotcha, I'll check with Crystal. Thank you

Stephanie Ebbs  
ABC News-Washington  
(desk) [Personal Phone / Ex. 6]  
(cell) [Personal Phone / Ex. 6]  
@stephebbs

---

**From:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>  
**Sent:** Tuesday, September 18, 2018 6:01:24 PM  
**To:** Ebbs, Stephanie  
**Cc:** Press; EOC Public Information  
**Subject:** RE: EPA Hurricane Florence Update Tuesday, September 18, 2018

Hi Stephanie,

"EPA field teams are scheduled for deployment Wednesday, September 19, 2018, to begin conducting post-storm assessments. The exact timing for assessments in North Carolina is yet to be determined. The sites in North Carolina will begin when flood waters recede and the conditions are safe for our teams." – EPA spokesperson

**Off the record:** These numbers are changing constantly and we don't want to misrepresent the numbers, so we refer you to the state for any updates on drinking water systems.

North Carolina Dept. of Environment & Natural Resources (NC DENR)  
Crystal Feldman (Communications Director)  
Phone: [Personal Phone / Ex. 6]  
E-mail: [crystal.feldman@ncdenr.gov](mailto:crystal.feldman@ncdenr.gov)

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: [Personal Phone / Ex. 6]

---

**From:** Ebbs, Stephanie [mailto:Stephanie.Ebbs@abc.com]  
**Sent:** Tuesday, September 18, 2018 5:51 PM  
**To:** Press <Press@epa.gov>  
**Subject:** Re: EPA Hurricane Florence Update Tuesday, September 18, 2018

Thanks for this. Just want to clarify a few things. I don't see a reference in this release to the drinking water systems that were impacted as of yesterday. Are they back to operational?

And the list of inspected superfund sites, will that be sent out starting tomorrow?

Thank you

Stephanie Ebbs  
ABC News-Washington  
(desk) Personal Phone / Ex. 6  
(cell)  
@stephebbs

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**From:** EPA Press Office <[press=epa.gov@cmail20.com](mailto:press=epa.gov@cmail20.com)> on behalf of EPA Press Office <[press@epa.gov](mailto:press@epa.gov)>  
**Sent:** Tuesday, September 18, 2018 5:45 PM  
**To:** Ebbs, Stephanie  
**Subject:** EPA Hurricane Florence Update Tuesday, September 18, 2018

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## **EPA Hurricane Florence Update Tuesday, September 18, 2018**

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**WASHINGTON** (September 18, 2018) – The U.S. Environmental Protection Agency (EPA) is coordinating closely with local, tribal, state, and federal partners as the Agency focuses on responding to the impacts of Hurricane Florence. EPA is monitoring numerous sources of information for reports on releases of oil and hazardous substances from first responders engaged in search and rescue efforts, as well as media observations and reporting, information from facility personnel embedded at their sites, and the National Response Center. EPA is also monitoring information flows from the local command posts, state, and regional emergency operations centers.

EPA On-Scene Coordinators (OSCs) are deployed to the State Emergency Operation Centers (SEOCs) in North Carolina and South Carolina and to the Federal Emergency Management Agency (FEMA) Regional Response Coordination Center in Atlanta to assist with Emergency Support Function (ESF) 10 for Oil and Hazardous

Substances response efforts. Additional OSCs and equipment are ready to deploy. EPA continues to coordinate with our federal, state, tribal, and local government partners to provide assistance as needed.

As of September 18, 2018, the following information is available:

#### **UPDATE: SEPTEMBER 18, 2018**

- EPA is working with the North Carolina Department of Environmental Quality (NCDEQ) to coordinate resources and prepare for joint field assessments later this week under the Direct Federal Assistance (DFA) Mission Assignment (MA) issued yesterday. An EPA Incident Commander reported to the SEOC on September 17 to prepare for activation of EPA assessment teams.
- On September 17, 2018, EPA Acting Administrator Wheeler signed a fuel waiver for North Carolina. EPA has waived the highway diesel fuel red dye requirements to allow the sale and use of non-road diesel fuel in highway vehicles in North Carolina as a result of Hurricane Florence, effective immediately and through September 28, 2018.
- The FEMA Region 3 Regional Response Coordination Center (RRCC) was deactivated, and all ESFs were discharged as of 5:00 pm on September 17, 2018. As of today, FEMA Region 3 is on enhanced watch status as of as the remnants of tropical depression Florence move out of the Region.
- EPA Region 3 has received no reports of impacts to drinking water utilities or bypasses to storm-related wastewater and sewer systems.

#### **HEADQUARTERS EMERGENCY OPERATIONS CENTER**

- The EPA headquarters EOC is fully activated. EPA is staffing ESF-10 for oil and hazardous materials at the National Response Coordination Center at FEMA headquarters.
- On September 13, 2018, Reggie Cheatham, Director of EPA's Office of Emergency Management, participated in a press briefing at FEMA headquarters in Washington, D.C. He has also participated in daily press briefings coordinated by FEMA over the past few days.
- Acting EPA Administrator Andrew Wheeler continues to convene the EPA Policy Coordinating Committee (PCC) for coordination around the response, including a meeting at 4:30pm today with the PCC.

#### **REGIONAL OPERATIONS CENTERS**

##### **Region 3**

- The FEMA Region 3 RRCC was deactivated, and all ESFs were discharged as of 5:00pm on September 17, 2018. As of today, FEMA Region 3 is on enhanced watch status as the remnants of tropical depression Florence move out of the Region. They continue to monitor flooding and potential flooding in Virginia, Maryland, and Pennsylvania. FEMA Region 3 is in the process of demobilizing or shifting assets pre-staged for Hurricane Florence to support FEMA Region 4 and disaster response in the Carolinas.
- EPA Region 3 is monitoring the storm and the potential impacts, if any, on the National Priorities List (NPL) sites in the Region. To date, there is no storm related damage to report.
- EPA Region 3 has received no reports of impacts to drinking water utilities or bypasses to storm-related wastewater and sewer systems.
- EPA Region 3 has offered to support Region 4 for mission assignment work or response work.

**Region 4:** The EPA Region 4 Regional Emergency Operations Center (R4 REOC) is activated. It is currently operating 12-hours daily. Region 4 has approximately 28 personnel currently involved in emergency response efforts.

- EPA Region 4 Administrator Trey Glenn remains in contact with Georgia, North Carolina, and South Carolina and is working with emergency response staff to determine regional assessment and response deployment activities. Other Region 4 states have also been contacted to offer support in the event of hurricane impacts.
- EPA Liaison Officers are deployed to the FEMA RRCC.
- EPA Region 4's Regional Readiness Center has the Mobile Command Post, emergency response trailers, utility terrain vehicles, all-terrain vehicles, the breathing air trailer, communications equipment, air monitoring instruments, and field equipment ready for deployment.

**North Carolina:** The North Carolina State Emergency Operations Center (SEOC) is currently operating at Level 1 (full activation).

- On September 17, EPA Acting Administrator Wheeler signed a fuel waiver for North Carolina. EPA has waived the highway diesel fuel red dye requirements to allow the sale and use of non-road diesel fuel in highway vehicles in North Carolina as a result of Hurricane Florence, effective immediately and through September 28.
- FEMA issued a Mission Assignment (MA) for Direct Federal Assistance (DFA) to EPA R4 on September 16 to provide ESF-10 assistance to North Carolina including, but not limited to facility assessment and oil and hazardous substance response. The MA was in the amount of \$2.3 million with a 25 percent State cost share and has a period of performance from September 15 to October 15.
- EPA is working with the North Carolina Department of Environmental Quality (NCDEQ) to coordinate resources and prepare for joint field assessments later this week under the DFA MA issued yesterday. An EPA Incident Commander reported to the SEOC on September 17 to prepare for activation of EPA assessment teams.
- EPA Region 4 received notification of a train derailment near Lilesville, North Carolina on September 16 and an unknown volume of diesel was released from the fuel tanks of the locomotives. The derailment reportedly occurred due to a washout of the railway as a result of Hurricane Florence. An EPA On-Scene Coordinator and Superfund Technical Assessment and Response Team consultants were deployed to assess the scene, ensure adequate response, provide air monitoring and other operational support, as needed. The diesel fuel accumulated in a low-lying area and did not reach the Pee Dee River. CSX contractors are on-scene and mitigating the spill.
- EPA is monitoring hog lagoons in storm-impacted areas and is coordinating with North Carolina, as needed, to assess impacts to downstream drinking water intakes due to possible releases. EPA On-Scene Coordinators and equipment stand ready to deploy, if needed.
- EPA is closely coordinating with North Carolina and coal ash impoundment operators to assess the status of any facilities impacted by the storm, and will provide assistance as needed or requested by the State.
- At the state's request, the EPA North Carolina out-posted On-Scene Coordinator began staffing the North Carolina SEOC ESF-10 desk on September 10.
- An EPA Water Division technical specialist at the North Carolina Emergency Operation Center is supporting the U.S. Army Corps of Engineers, North Carolina Water/Wastewater Agency Response

Network and North Carolina Department of Environmental Quality to monitor the status of North Carolina's wastewater treatment and drinking water systems.

- On September 11, 2018, EPA Acting Administrator Wheeler signed a fuel waiver for North Carolina. This waiver relieved the requirements to use summer blend fuel, and expired on September 15, which was the end for the high ozone season. Additionally, a blending waiver was signed, which was effective immediately and continues through October 1.
- EPA field teams are scheduled for deployment this week to begin the post-storm field assessments for Superfund National Priorities List (NPL) Sites in GA and SC, and will move into NC once conditions allow.

**South Carolina:** The South Carolina EOC is currently at OPCON 1 activation (Full ESF Activation – 24-hour operations).

- At the state's request, the EPA South Carolina out-posted On-Scene Coordinator began staffing the South Carolina EOC ESF-10 desk on September 12.
- The State has made no further request for EPA assistance.
- EPA field teams are scheduled for deployment this week to begin the post-storm field assessments for Superfund NPL Sites in GA and SC.
- On September 11, 2018, EPA Acting Administrator Wheeler signed a fuel waiver for South Carolina. This waiver relieved the requirements to use summer blend fuel, and expired on September 15, which was the end for the high ozone season. Additionally, a blending waiver was signed, which was effective immediately and continues through October 1.

**Georgia:** The Georgia Emergency Management Agency (EMA) is currently operating their State Emergency Operations Center (SEOC) at Level 3 (Actively Monitoring Operations). EPA Region 4 continues to maintain communication with the State to provide support at the ESF-10 Desk in the SEOC, as needed.

- EPA has not received a request for assistance from the State.
- EPA field teams are scheduled for deployment this week to begin the post-storm field assessments for Superfund NPL Sites in GA and SC.
- On September 12, 2018, EPA Acting Administrator Wheeler signed a fuel waiver for Georgia. EPA has waived the federal Reid vapor pressure requirements for fuel sold in designated areas in Georgia to minimize problems with the supply of gasoline. This waiver expired on September 15, 2018, which was the end of the summer fuel season. EPA has also waived the prohibition on the blending of reformulated gasoline blendstock for oxygenated blending with other gasoline, blendstock or oxygenate in Georgia. These waivers are effective through September 30, 2018.
- On September 13, 2018, EPA granted a request from the State of Georgia to revise its September 12th emergency fuel waiver to allow the sale and distribution of gasoline with a Reid vapor pressure of up to 11.5 pounds per square inch before the addition of any ethanol. EPA granted this revised temporary waiver to help ensure that an adequate supply of gasoline was available in the State of Georgia until normal supply to the region could be restored. This revised waiver expired on September 15, 2018, which was the end of the high ozone season. All other provisions of the September 12 waiver remain unchanged.

**Region 4 Federally Recognized Tribes:** Region 4 continues to coordinate with the Bureau of Indian Affairs.



- **Catawba Indian Nation, Rock Hill, SC:** The Catawba Indian Nation is currently operating at OPCON 2 (partial activation) and is preparing for the likelihood of impacts from Hurricane Florence.
- **Eastern Band of Cherokee Indians (EBCI), Cherokee, NC:** The State of Emergency issued September 14, remains in effect. The EBCI EOC remains partially activated and the Cherokee Nation of Oklahoma continues to work with the ECBI on addressing potential impacts from the storm.

#### **ENFORCEMENT ACTIONS**

- EPA has waived the federal Reid vapor pressure requirements for fuel sold in designated areas in North Carolina, South Carolina, Georgia, and Virginia to minimize problems with the supply of gasoline. EPA has also waived in these same states the prohibition on the blending of reformulated gasoline blendstock for oxygenated blending with other gasoline blendstock or oxygenate. EPA intends these waivers to assist in distributing fuel needed for voluntary and mandatory evacuations. Additionally, EPA has waived the highway diesel fuel red dye requirements to allow the sale and use of non-road diesel fuel in highway vehicles in North Carolina.
- EPA has issued no action assurances as requested by North Carolina, and South Carolina, Virginia, and Georgia to help avoid delays in fuel distribution. EPA policy allows the Agency to issue no action assurances in cases where it is necessary to avoid extreme risks to public health and safety and where no other mechanism can adequately address the matter. Under these no action assurances, EPA will not pursue enforcement actions against tanker trucks under air quality regulations governing the testing for tank tightness and associated documentation.
- In addition, it is expected that damage from the storm and/or power outages could impact the vapor recovery systems at fuel loading facilities. To address this concern, EPA has issued two no action assurances as requested by Virginia and North Carolina regarding the loading and unloading of fuel at bulk gasoline terminals, pipeline breakout stations, marine tank vessel loading operations, and gasoline loading racks. Pursuant to these no action assurances and the conditions contained in them, EPA will not pursue enforcement actions for violations of the Clean Air Act vapor recovery requirements for these fuel loading and unloading operations in those states.

#### **REGION 4 SUPERFUND SITES, OIL SITES, AND OTHER FACILITIES**

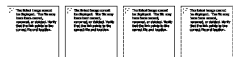
- The EPA Oil Program contacted 25 coastal North Carolina and South Carolina Facility Response Plan facilities to assess readiness and verify contacts for post-storm assessments.
- EPA Region 4 is coordinating with North Carolina, South Carolina, and Georgia on the status of Superfund sites in their states, as well as a total number of Risk Management Plan facilities, Federal Response Plan facilities, drinking water systems, and wastewater treatment systems to help them as they prepare their response plans.
- As EPA Region 4 moves into the recovery phase of our response to Hurricane Florence, EPA's Region 4 Superfund Division will coordinate post landfall assessments of National Priorities List (NPL) and NPL Caliber Superfund sites impacted by the storm.
- In collaboration with our state partners and once conditions allow, EPA will deploy Superfund Reconnaissance Teams to conduct visual inspections of affected sites which will:
  - Document visual damage and/or potential migration of contaminants;
  - Document site conditions at the point of entry and exit;
  - Document restoration of utilities (if applicable); and
  - Complete the field survey check-list and photo(s).

The list of inspected sites will be updated daily for the media.

For more information please visit: <https://response.epa.gov/florence>

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U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004



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Message

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**From:** Lincoln, Larry [Lincoln.Larry@epa.gov]  
**Sent:** 9/19/2018 7:17:02 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** FW: [External] Per our conversation  
**Attachments:** ATT00001.txt

From North Carolina DEQ re: assessments.

*Larry*

Director  
Office of External Affairs  
U.S. Environmental Protection Agency, Region 4  
Phone: (404) 562-8304  
Email: [lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)  
<https://www.epa.gov/aboutepa/about-epa-region-4-southeast>  
Follow Region 4 on Twitter: [www.twitter.com/EPASoutheast](https://www.twitter.com/EPASoutheast)  
And Facebook: [www.facebook.com/eparegion4](https://www.facebook.com/eparegion4)

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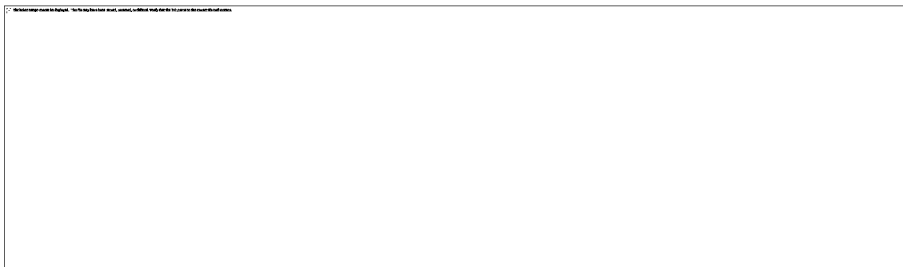
**From:** Leonard, Laura [mailto:[laura.leonard@ncdenr.gov](mailto:laura.leonard@ncdenr.gov)]  
**Sent:** Wednesday, September 19, 2018 3:16 PM  
**To:** Lincoln, Larry <[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>  
**Cc:** Thorpe, Megan S <[megan.thorpe@ncdenr.gov](mailto:megan.thorpe@ncdenr.gov)>; Heyl, Douglas <[Douglas.Heyl@ncdenr.gov](mailto:Douglas.Heyl@ncdenr.gov)>; Scott, Michael <[michael.scott@ncdenr.gov](mailto:michael.scott@ncdenr.gov)>  
**Subject:** RE: [External] Per our conversation

Larry,

I needed to confirm what I stated earlier. Division of Waste Management staff have been onsite to the Sutton coal ash landfill. They also conducted an ariel assessment yesterday of that landfill. Other division staff have begun contacting permitted facilities and conducting initial assessments by phone. We anticipate going out into the field when conditions allow. Post-assessment teams will begin conducting field assessments as early as Friday in partnership with the EPA.

Please let me know if you have any further questions. My cell number is Personal Phone / Ex. 6. Feel free to call anytime.

Laura



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**From:** Lincoln, Larry <[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>  
**Sent:** Wednesday, September 19, 2018 12:35 PM

**To:** Leonard, Laura <[laura.leonard@ncdenr.gov](mailto:laura.leonard@ncdenr.gov)>

**Subject:** [External] Per our conversation

**CAUTION:** External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to Report Spam.

Laura,

Per our earlier conversation please send a short description of what you're doing re: assessments. As I understand the only folks on the ground were at Sutton, and you're waiting for conditions to improve to get ou to state sites. Also please provide your cell number.

Thanks!

*Larry*

Director

Office of External Affairs

U.S. Environmental Protection Agency, Region 4

Phone: (404) 562-8304

Email: [lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)

<https://www.epa.gov/aboutepa/about-epa-region-4-southeast>

Follow Region 4 on Twitter: [www.twitter.com/EPASoutheast](https://twitter.com/EPASoutheast)

And Facebook: [www.facebook.com/eparegion4](https://www.facebook.com/eparegion4)

Message

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**From:** Lincoln, Larry [Lincoln.Larry@epa.gov]  
**Sent:** 9/30/2018 11:14:14 PM  
**To:** EOC Public Information [EOC\_Public\_Information@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]; Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Subject:** Fwd: distribution and submission request

FYI from. ESF-10 JUV

Sent from my iPhone

Begin forwarded message:

**From:** ESF 10 JIC <Ex. 6 Personal Privacy (PP)>  
**Date:** September 30, 2018 at 3:37:20 PM EDT  
**To:** "Thorpe, Megan S" <megan.thorpe@ncdenr.gov>, lincoln.larry@epa.gov, Sam Craft <sam.craft@ncwildlife.org>, Ncdps Communications <keith.acree@ncdps.gov>, NC Emergency Management <pio@ncem.org>, harris-young.dawn@epa.gov, marraccini.davina@epa.gov, mcdonald.jason@epa.gov, pinkney.james@epa.gov, john.mills@fema.dhs.gov, ryan.kennemur@ncwildlife.org  
**Subject:** distribution and submission request

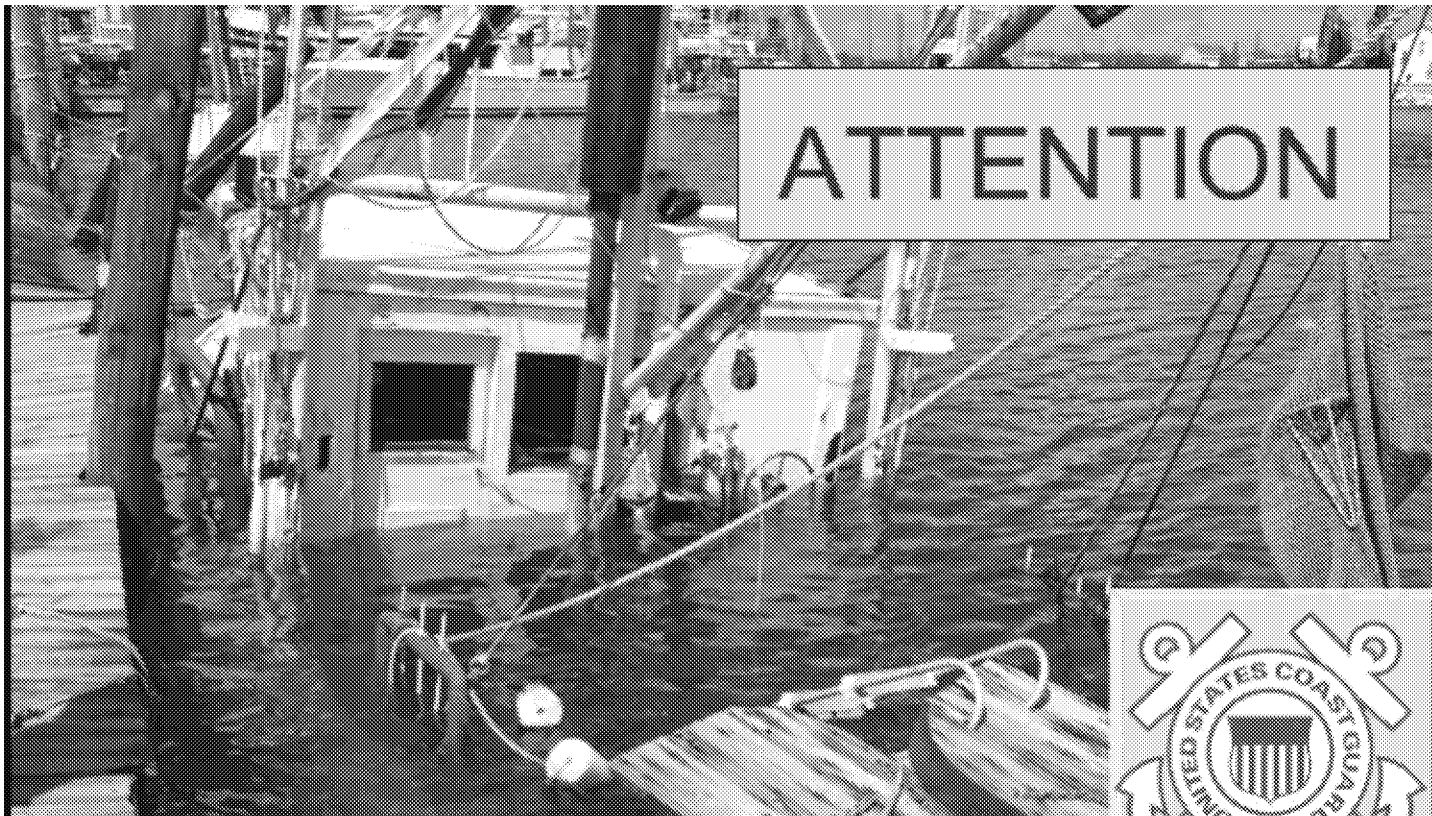
ESF#10 JIC Team,

Request your help securing widest distribution for the attached flyer. Our pollution assessment teams are placing printed copies at marinas and boat ramps throughout the affected counties. We published it on the Coast Guard Sector North Carolina Facebook Page and tagged each of your agencies.

Also, please share any imagery of your personnel in the response. You can either upload the photos [here](#) or reply to this email address. Don't forget to include identifying info (who/what/where/when).

Thanks again for your teamwork!

LT Davey Connor  
PIO, ESF#10 North Carolina



# ATTENTION

The Unified Command responding to pollution from sunken or damaged vessels resulting from Hurricane Florence is hard at work coordinating clean-up efforts throughout North Carolina.

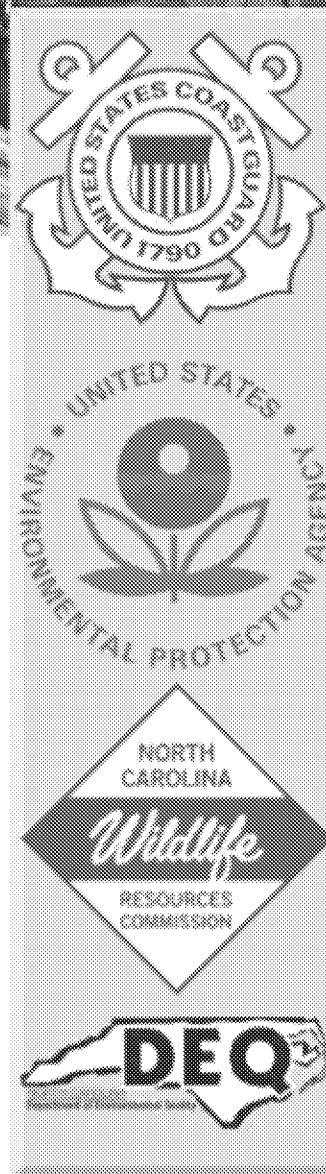
Assessment teams are evaluating storm-affected vessels for pollution and the potential for pollution, with a priority placed on vessels currently leaking pollution.

Assessment teams will leave a sticker on damaged vessels requesting that the owner contact the Vessel Owner Outreach Hotline. If you own a vessel in one of these affected areas and have a sticker on your vessel, please call:

**757-355-1042**

Please leave a message with your name, phone number, vessel registration number, and the Florence reference number listed on your sticker and a member of the response team will contact you as soon as possible.

Report pollution to the National Response Center at  
**800-424-8802**



Message

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**From:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Sent:** 9/28/2018 7:14:23 PM  
**To:** Thomas, Latosha [Thomas.Latosha@epa.gov]; **Personal Email / Ex. 6**  
**CC:** Grantham, Nancy [Grantham.Nancy@epa.gov]; Lincoln, Larry [Lincoln.Larry@epa.gov]  
**Subject:** Re: Participation Request: Establishment of ESF-10 Virtual JIC

Good afternoon LT Connor,

We've been using the @EPASoutheast Twitter account and EPA's main Facebook account (<https://www.facebook.com/EPA/>) for posts related to Florence. We usually retweet from our main @EPA account. Please tag us as you feel appropriate in your posts on social media.

If you have additional social media questions, please reach out to myself and Latosha Thomas (included here).

Thank you,  
Maggie Sauerhage

**From:** ESF 10 JIC [mailto:**Personal Email / Ex. 6**]  
**Sent:** Friday, September 28, 2018 1:42 PM  
**To:** Sam Craft <[sam.craft@ncwildlife.org](mailto:sam.craft@ncwildlife.org)>; Harris-Young, Dawn <[Harris-Young.Dawn@epa.gov](mailto:Harris-Young.Dawn@epa.gov)>; Marraccini, Davina <[Marraccini.Davina@epa.gov](mailto:Marraccini.Davina@epa.gov)>; McDonald, Jason <[Mcdonald.Jason@epa.gov](mailto:Mcdonald.Jason@epa.gov)>; Pinkney, James <[Pinkney.James@epa.gov](mailto:Pinkney.James@epa.gov)>; Lincoln, Larry <[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>; Thorpe, Megan S <[megan.thorpe@ncdenr.gov](mailto:megan.thorpe@ncdenr.gov)>  
**Cc:** [ryan.kennemur@ncwildlife.org](mailto:ryan.kennemur@ncwildlife.org)  
**Subject:** Re: Participation Request: Establishment of ESF-10 Virtual JIC

News release is currently routing through the U.C. for review and approval. In the meantime, what social media accounts will you be using? We're preparing a series of posts from the U.S. Coast Guard Sector North Carolina FB account and will tag each of your orgs as appropriate.

LT Davey Connor, APIO

On Thu, Sep 27, 2018 at 12:06 PM ESF 10 JIC <**Personal Email / Ex. 6**> wrote:

Also, here's the news release we sent out last week with guidance for boat owners planning to self-salvage.

<https://content.govdelivery.com/accounts/USDHSCG/bulletins/20f2b98>

LT Connor

On Thu, Sep 27, 2018 at 11:26 AM ESF 10 JIC <**Personal Email / Ex. 6**> wrote:

Team,

How's it going? Katie Krushinski and LT Davey Connor here in Fayetteville at the Unified Command. We'll be running the Joint Info Center for the foreseeable future, and since each of your agencies is a part of the UC, we want to establish coordination/collaboration procedures.

Situation: Field teams have identified 230+ targets. We have 12 teams conducting shoreside and waterside pollution assessments, and are working with NOAA to identify resources at risk and Best Management Practices.

JIC Needs:

- High-res logos for each of your agencies for inclusion on products
- Collaboration platform: We can stick with email or upgrade to google docs (preferred). Please let us know if you are not able to access google docs.
- Clarity on approval authority: Will you have that authority? What is your anticipated turnaround time?

Currently in development:

- News release announcing establishment of the Unified Command, and sharing vessel owner hotline contact information, as well as JIC phone #.
- Public Information Plan to include talking points and outreach tactics.
- Flyer for dissemination to marinas and public areas targeting affected vessel owners.

Thanks!

Katie Krushinski (PIO) - Personal Phone / Ex. 6

LT Davey Connor (APIO) - Personal Phone / Ex. 6



Message

---

**From:** Lincoln, Larry [Lincoln.Larry@epa.gov]  
**Sent:** 9/28/2018 7:03:38 PM  
**To:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]  
**CC:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** RE: Participation Request: Establishment of ESF-10 Virtual JIC

Just need one of you to reach out to Lt. Connor and provide the info to him so they can tag our accounts. I'm asking because if there are additional social media needs, they can go directly to you guys, as we would be sending them your way anyway.

Thanks,

*Larry*

Director  
Office of External Affairs  
U.S. Environmental Protection Agency, Region 4  
Phone: (404) 562-8304  
Email: [lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)  
<https://www.epa.gov/aboutepa/about-epa-region-4-southeast>  
Follow Region 4 on Twitter: [www.twitter.com/EPASoutheast](https://www.twitter.com/EPASoutheast)  
And Facebook: [www.facebook.com/eparegion4](https://www.facebook.com/eparegion4)

---

**From:** Sauerhage, Maggie  
**Sent:** Friday, September 28, 2018 3:02 PM  
**To:** Lincoln, Larry <Lincoln.Larry@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Re: Participation Request: Establishment of ESF-10 Virtual JIC

Thanks Larry - what do you need from us here? I'll be offline in about an hour. For accounts, they can tag @EPA or @EPASoutheast, whatever folks' preference is.

---

**From:** Lincoln, Larry  
**Sent:** Friday, September 28, 2018 2:59:29 PM  
**To:** Sauerhage, Maggie; Thomas, Latosha  
**Cc:** Grantham, Nancy  
**Subject:** FW: Participation Request: Establishment of ESF-10 Virtual JIC

Since HQ is managing social media posts, please reach out to Lt. Connor at the JIC regarding social media.

Thanks,

*Larry*

Director  
Office of External Affairs

U.S. Environmental Protection Agency, Region 4  
Phone: (404) 562-8304  
Email: [lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)  
<https://www.epa.gov/aboutepa/about-epa-region-4-southeast>  
Follow Region 4 on Twitter: [www.twitter.com/EPASoutheast](https://www.twitter.com/EPASoutheast)  
And Facebook: [www.facebook.com/eparegion4](https://www.facebook.com/eparegion4)

**From:** ESF 10 JIC [mailto:[Personal Email / Ex. 6](#)]

**Sent:** Friday, September 28, 2018 1:42 PM

**To:** Sam Craft <[sam.craft@ncwildlife.org](mailto:sam.craft@ncwildlife.org)>; Harris-Young, Dawn <[Harris-Young.Dawn@epa.gov](mailto:Harris-Young.Dawn@epa.gov)>; Marraccini, Davina <[Marraccini.Davina@epa.gov](mailto:Marraccini.Davina@epa.gov)>; McDonald, Jason <[Mcdonald.Jason@epa.gov](mailto:Mcdonald.Jason@epa.gov)>; Pinkney, James <[Pinkney.James@epa.gov](mailto:Pinkney.James@epa.gov)>; Lincoln, Larry <[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>; Thorpe, Megan S <[megan.thorpe@ncdenr.gov](mailto:megan.thorpe@ncdenr.gov)>

**Cc:** [ryan.kennemur@ncwildlife.org](mailto:ryan.kennemur@ncwildlife.org)

**Subject:** Re: Participation Request: Establishment of ESF-10 Virtual JIC

News release is currently routing through the U.C. for review and approval. In the meantime, what social media accounts will you be using? We're preparing a series of posts from the U.S. Coast Guard Sector North Carolina FB account and will tag each of your orgs as appropriate.

LT Davey Connor, APIO

On Thu, Sep 27, 2018 at 12:06 PM ESF 10 JIC <[Personal Email / Ex. 6](#)> wrote:

Also, here's the news release we sent out last week with guidance for boat owners planning to self-salvage.

<https://content.govdelivery.com/accounts/USDHSCG/bulletins/20f2b98>

LT Connor

On Thu, Sep 27, 2018 at 11:26 AM ESF 10 JIC <[Personal Email / Ex. 6](#)> wrote:

Team,

How's it going? Katie Krushinski and LT Davey Connor here in Fayetteville at the Unified Command. We'll be running the Joint Info Center for the foreseeable future, and since each of your agencies is a part of the UC, we want to establish coordination/collaboration procedures.

Situation: Field teams have identified 230+ targets. We have 12 teams conducting shoreside and waterside pollution assessments, and are working with NOAA to identify resources at risk and Best Management Practices.

JIC Needs:

- High-res logos for each of your agencies for inclusion on products
- Collaboration platform: We can stick with email or upgrade to google docs (preferred). Please let us know if you are not able to access google docs.
- Clarity on approval authority: Will you have that authority? What is your anticipated turnaround time?

Currently in development:

- News release announcing establishment of the Unified Command, and sharing vessel owner hotline contact information, as well as JIC phone #.
- Public Information Plan to include talking points and outreach tactics.
- Flyer for dissemination to marinas and public areas targeting affected vessel owners.

Thanks!

Katie Krushinski (PIO) - [Personal Phone / Ex. 6](#)

LT Davey Connor (APIO) - [Personal Phone / Ex. 6](#)

Message

---

**From:** Dewey, Amy [Dewey.Amy@epa.gov]  
**Sent:** 9/12/2018 2:05:51 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** RE: Hurricane Florence and Pork Industry

Yes, will do so! Amy

-----Original Message-----

**From:** Konkus, John  
**Sent:** Wednesday, September 12, 2018 10:05 AM  
**To:** Dewey, Amy <Dewey.Amy@epa.gov>; Block, Molly <block.molly@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** RE: Hurricane Florence and Pork Industry

I need to talk with him on the phone this morning please. Amy can you arrange?

-----Original Message-----

**From:** Dewey, Amy  
**Sent:** Wednesday, September 12, 2018 10:04 AM  
**To:** Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Hurricane Florence and Pork Industry

Issued by NC Pork industry

-----Original Message-----

**From:** Michael Formica [mailto:formicam@nppc.org]  
**Sent:** Wednesday, September 12, 2018 9:55 AM  
**To:** Dewey, Amy <Dewey.Amy@epa.gov>  
**Subject:** Hurricane Florence and Pork Industry

Amy

I' ve attached the media advisory that NC Pork issued for your information.

My experience has been that regarding hurricanes and North Carolina pork production, environmental and animal rights activists have a long and deep history of conveying false information and manufacturing fictional narratives that do nothing but drain resources from where they are most needed.

If you, or anyone at EPA needs further updates or information on the situation in NC or the efforts of the industry to prepare for Hurricane Florence, don' t hesitate to reach out to me.

Message

---

**From:** Konkus, John [konkus.john@epa.gov]  
**Sent:** 9/12/2018 2:04:57 PM  
**To:** Dewey, Amy [Dewey.Amy@epa.gov]; Block, Molly [block.molly@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** RE: Hurricane Florence and Pork Industry

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-----Original Message-----

From: Dewey, Amy  
Sent: Wednesday, September 12, 2018 10:04 AM  
To: Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
Subject: Hurricane Florence and Pork Industry

Issued by NC Pork industry

-----Original Message-----

From: Michael Formica [mailto:formicam@nppc.org]  
Sent: Wednesday, September 12, 2018 9:55 AM  
To: Dewey, Amy <Dewey.Amy@epa.gov>  
Subject: Hurricane Florence and Pork Industry

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Message

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**From:** Dewey, Amy [Dewey.Amy@epa.gov]  
**Sent:** 9/12/2018 2:04:04 PM  
**To:** Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** Hurricane Florence and Pork Industry  
**Attachments:** MEDIA ADVISORY Sept 11.pdf; ATT00001.txt

Issued by NC Pork industry

-----Original Message-----

**From:** Michael Formica [mailto:formica@mppc.org]  
**Sent:** Wednesday, September 12, 2018 9:55 AM  
**To:** Dewey, Amy <Dewey.Amy@epa.gov>  
**Subject:** Hurricane Florence and Pork Industry

Amy

I' ve attached the media advisory that NC Pork issued for your information.

My experience has been that regarding hurricanes and North Carolina pork production, environmental and animal rights activists have a long and deep history of conveying false information and manufacturing fictional narratives that do nothing but drain resources from where they are most needed.

If you, or anyone at EPA needs further updates or information on the situation in NC or the efforts of the industry to prepare for Hurricane Florence, don' t hesitate to reach out to me.



**Sept. 11, 2018**

Contact:

Jennifer Kendrick

Communications and Outreach manager

[jken@ncpork.org](mailto:jken@ncpork.org)

(Email is requested due to volume and ongoing preparations)

### **MEDIA ADVISORY**

The following resources are available in regard to Hurricane Florence's approach.

Additional updates will be posted to <http://www.ncpork.org/news/> or at our blog, Beyond Bacon, found at <http://www.ncpork.org/category/beyond-bacon-the-blog/>

### **Statement on hurricane preparations**

Farmers are shifting animals from flood-prone areas, ensuring feed supplies in place

<http://www.ncpork.org/prepared/>

### **A primer on lagoons and flooding**

Many are unfamiliar with anaerobic lagoon design and terminology in storm events. Here is a guide.

<http://www.ncpork.org/primer/>

### **Matthew, and the buyout program**

Here is factual information about Matthew and the buyout program

<http://www.ncpork.org/buyout/>

### **Beware of misleading agendas**

We are already seeing inaccurate information. We urge continued caution of claims about our farms.

<http://www.ncpork.org/beware/>

Message

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**From:** Bennett, Tate [Bennett.Tate@epa.gov]  
**Sent:** 9/18/2018 10:25:37 AM  
**To:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Subject:** Fwd: Advisory at 9 p.m. on Sept. 17 (with photos, including of breach)

Begin forwarded message:

**From:** Michael Formica <formicam@nppc.org>  
**Date:** September 17, 2018 at 9:37:57 PM EDT  
**To:** "Elizabeth Tate Bennett (Bennett.Tate@epa.gov)" <Bennett.Tate@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>, "Dewey, Amy" <Dewey.Amy@epa.gov>, "konkus.john@epa.gov" <konkus.john@epa.gov>, "Park, Susan" <Park.Susan@epa.gov>  
**Subject:** FW: Advisory at 9 p.m. on Sept. 17 (with photos, including of breach)

FYI

---

**From:** Andy Curliss <acurliss@ncpork.org>  
**Sent:** Monday, September 17, 2018 9:17 PM  
**To:** Andy Curliss <acurliss@ncpork.org>  
**Subject:** Advisory at 9 p.m. on Sept. 17 (with photos, including of breach)

Link:  
<http://www.ncpork.org/advisory5/>

PDF attached.

Copied here:

## Advisory on Hurricane Florence – Sept. 17 at 9 p.m.

Posted on [September 17, 2018](#)



The historic flooding in the aftermath of Hurricane Florence has continued to cause widespread impacts across eastern North Carolina, including affecting at least a dozen of our hog farms.

Significant efforts continue in order to provide feed and care for animals and to ensure safety for farm families and employees.

We are currently aware of the following impacts:

- One lagoon breach occurred on a small farm in Duplin County. An on-site inspection showed that solids remained in the lagoon. The roof of an empty barn on the farm was also damaged. A photograph of the lagoon and barns, taken today, is provided below.
- Four lagoons have been inundated by flood waters.
- Seven lagoons are at capacity due to rainfall and appear to have overtopped.

We do not believe, based on on-farm assessments to date and industrywide surveying, that there are widespread impacts to the more than 2,100 farms with more than 3,000 anaerobic treatment lagoons in the state. Waters from the record-shattering storm are rising in some places and receding in others, and we expect further impacts to be reported as conditions and access allows.

### **A note to the media**

We will continue to provide advisory updates as soon as is practicable.

Communications in the field remain sporadic and our primary attention remains on logistical and operational support.

We are providing additional information and resources below.

### **Key terms**

We track the U.S. EPA and state of North Carolina terminology.

**Lagoons:** Waste from hog farms is treated in anaerobic lagoons, then applied to nearby fields as fertilizer on a crop in accordance with strict state regulations. “Lagoon” is not a term created by the pork industry. It reflects the language used by the EPA to describe these treatment systems. It is incorrect to refer to hog lagoons as cesspools, which is a separate treatment system.

**Breach:** A breach is a structural failure of a lagoon — the lagoon walls give way and no longer hold back all of the lagoon contents. This is rare. During Hurricane Matthew, one farm experienced a partial lagoon breach. During Hurricane Floyd, six lagoons were breached.

**Inundation:** When heavy rains cause major rivers to overflow, entire communities can be inundated with water. When a lagoon is inundated, the walls remain intact, but floodwater rises over the sides and fills the lagoon. By design, solids are stored and remain at the bottom of the lagoon, and the liquids at the top are heavily diluted, minimizing the environmental impact.

**Overtop:** Severe, heavy rainfall may cause a lagoon to reach capacity and overflow, or overtop. Every hog farm in the state must maintain a minimum buffer of 19 inches to allow for significant rain events. This buffer is known as **freeboard** and it is designed to minimize the risk of a lagoon overtopping. Many lagoons maintain much more freeboard space, especially as hurricane season approaches.

### **Photos of hog farm conditions**



At top left, farm with a lagoon breach and damaged empty barn in Duplin County (separately provided below). Photo at bottom right is from Sampson County.



#### Jones County photo

The Associated Press published a photo on Sunday, Sept. 16, of a farm with an inundated lagoon in Jones County. We received numerous inquiries about the status of the farm. The water surrounding the barns was not deep and there has been continued access to the barns. At right, is a photo taken at the barns on the morning of Monday, Sept. 17.



*A hog farm is surrounded with floodwaters from Hurricane Florence near Trenton, N.C., Sunday, Sept. 16, 2018. (AP Photo/Steve Haber)*



### **Duplin County photo**

Duplin County hog farm with a lagoon breach and damaged empty barn photographed Sept. 17, 2018. Breach is shown at top right of lagoon.



### **In context: Hurricane Matthew**

To put the damage from Hurricane Florence in context, it may be useful to consider the impact caused by Hurricane Matthew in 2016. That was an equally devastating storm that caused more than \$1 billion in damage and resulted in 26 deaths in North Carolina.

Since Hurricane Floyd in 1999, the industry has taken significant steps to minimize the threat of flooding on North Carolina hog farms. This includes [the permanent closing of 334 hog lagoons](#) located in flood plains.

### **Impact on Hog Farms by Hurricane Matthew**

- 1 partial lagoon breach on an inactive hog farm
- 14 lagoons inundated by floodwaters
- No lagoons overtopped
- No impact to more than 99.5% of active lagoons in North Carolina

### **Impact on Municipal Wastewater Treatment Plants**

Municipal wastewater treatment plants spilled more than 154 million gallons of raw, untreated human waste into the state's waterways.

### **State: Hurricane Matthew had "Minimal and Temporary" Impact on Water Quality**

Following Hurricane Matthew, the Division of Water Resources conducted extensive monitoring of waterways across eastern North Carolina. [Link to the complete report.](#)

It reached the following conclusion:

*"After reviewing the data collected, and comparing that to precipitation amounts, river levels and known areas of flooding, the overall impacts of Hurricane Matthew on surface water quality were initially minimal and temporary, and the long-term effects appear to be similar to previous storms and long-term historical conditions. While many eastern North Carolina areas were inundated by floodwaters and incidents of spills, breaches or waste facility shutdowns were reported, the amount of water discharged into the river basins resulted in a diluting effect, which primarily resulted in lower than normal concentrations of various pollutants."*

### **North Carolina hog farms**

## **N.C. Hog Farms**

- More than 2,100 permitted hog farms
- More than 3,300 active lagoons
- No hog farms have been built in North Carolina since 1997

## **N.C. Swine Inventory (June 2018)**

- Under 50 pounds: 3 million (37%)
- 50-119 pounds: 7 million (19%)
- 120-179 pounds: 7 million (19%)
- 180+ pounds: 3 million (15%)
- Breeding Stock: 900,000 (10%)
- Total: 9 million

## **A word of caution**

We urge the media to exercise caution when reporting about impacts of Hurricane Florence on North Carolina hog farms. In advance of the storm, and since its onset, the North Carolina Pork Council has seen widespread instances of inaccurate reporting in the media about the pork industry.

In previous years, we have seen photos of municipal waste plants, poultry houses and other agricultural facilities inaccurately labeled as pig farms. We have seen barns that have been empty for multiple years characterized as active hog farms. We urge caution, especially in a breaking news environment where initial information is often inaccurate.

It is precisely in these first hours and days that activists with an agenda seek to exploit the media – or the media simply gets it wrong. Our request: Beware of what you hear about hog farms during Hurricane Florence.

## **Additional information**

Hog farms & hurricanes: <http://www.ncpork.org/primer/>

Matthew, and buyouts: <http://www.ncpork.org/buyout/>

Beware of misleading agendas: <http://www.ncpork.org/beware/>

The storm's threat: <http://www.ncpork.org/concern/>

--

Andy Curliss

CEO

North Carolina Pork Council

O Personal Phone / Ex. 6

f: 919.510.8546

t: @acurliss



Message

---

**From:** Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]  
**Sent:** 9/27/2018 10:29:49 PM  
**To:** Lincoln, Larry [Lincoln.Larry@epa.gov]; EOC Public Information [EOC\_Public\_Information@epa.gov]  
**Subject:** RE: Input requested: Unified Command News Release

This is fine . should we post on the Florence site? thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
Personal Phone / Ex. 6 **(mobile)**

---

**From:** Lincoln, Larry  
**Sent:** Thursday, September 27, 2018 5:34 PM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; EOC Public Information <EOC\_Public\_Information@epa.gov>  
**Subject:** FW: Input requested: Unified Command News Release  
**Importance:** High

*Larry*

Director  
Office of External Affairs  
U.S. Environmental Protection Agency, Region 4  
Phone: (404) 562-8304  
Email: [lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)  
<https://www.epa.gov/aboutepa/about-epa-region-4-southeast>  
Follow Region 4 on Twitter: [www.twitter.com/EPASoutheast](https://twitter.com/EPASoutheast)  
And Facebook: [www.facebook.com/eparegion4](https://www.facebook.com/eparegion4)

---

**From:** Lincoln, Larry  
**Sent:** Thursday, September 27, 2018 4:37 PM  
**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** FW: Input requested: Unified Command News Release  
**Importance:** High

Nancy,

Please see attached. **Deliberative Process / Ex. 5**

**Deliberative Process / Ex. 5**

Thanks,

*Larry*

Director  
Office of External Affairs  
U.S. Environmental Protection Agency, Region 4  
Phone: (404) 562-8304  
Email: [lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)  
<https://www.epa.gov/aboutepa/about-epa-region-4-southeast>  
Follow Region 4 on Twitter: [www.twitter.com/EPASoutheast](https://twitter.com/EPASoutheast)  
And Facebook: [www.facebook.com/eparegion4](https://www.facebook.com/eparegion4)

**From:** ESF 10 JIC [mailto:**Personal Email / Ex. 6**]

**Sent:** Thursday, September 27, 2018 4:35 PM

**To:** Sam Craft <[sam.craft@ncwildlife.org](mailto:sam.craft@ncwildlife.org)>; Lincoln, Larry <[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>; Thorpe, Megan S <[megan.thorpe@ncdenr.gov](mailto:megan.thorpe@ncdenr.gov)>

**Cc:** [ryan.kennemur@ncwildlife.org](mailto:ryan.kennemur@ncwildlife.org); [john.mills@fema.dhs.gov](mailto:john.mills@fema.dhs.gov); Pinkney, James <[Pinkney.James@epa.gov](mailto:Pinkney.James@epa.gov)>; McDonald, Jason <[Mcdonald.Jason@epa.gov](mailto:Mcdonald.Jason@epa.gov)>; Marraccini, Davina <[Marraccini.Davina@epa.gov](mailto:Marraccini.Davina@epa.gov)>; Harris-Young, Dawn <[Harris-Young.Dawn@epa.gov](mailto:Harris-Young.Dawn@epa.gov)>

**Subject:** Input requested: Unified Command News Release

All,  
We've prepared a draft of the news release announcing stand-up of the Unified Command, as well as a flyer that will be posted at marinas and other public-facing sites where vessel owners may find them.

**Please provide input ASAP if you're in the To line of this email.** We're hoping to route for approval at the UC tomorrow morning. If you hold approval authority for your agency, please let us know so we don't waste time with double-approval. If you're CC'd, this email is just FYI, but we're open to any input.

Sincerely,  
Unified Command JIC

# Deliberative Process / Ex. 5

# Deliberative Process / Ex. 5

On Thu, Sep 27, 2018 at 11:26 AM ESF 10 JIC <[Personal Email / Ex. 6]> wrote:

Team,

How's it going? Katie Krushinski and LT Davey Connor here in Fayetteville at the Unified Command. We'll be running the Joint Info Center for the foreseeable future, and since each of your agencies is a part of the UC, we want to establish coordination/collaboration procedures.

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- Flyer for dissemination to marinas and public areas targeting affected vessel owners.

Thanks!

Katie Krushinski (PIO) [Personal Phone / Ex. 6]

LT Davey Connor (APIO) [Personal Phone / Ex. 6]



Message

---

**From:** Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]  
**Sent:** 9/13/2018 10:52:48 AM  
**To:** Thomas, Latosha [Thomas.Latosha@epa.gov]  
**Subject:** FW: Hurricane Florence and Pork Industry  
**Attachments:** MEDIA ADVISORY Sept 11.pdf; ATT00001.txt

Nancy Grantham  
Office of Public Affairs  
US Environmental Protection Agency  
202-564-6879 (desk)  
Personal Phone / Ex. 6 (mobile)

-----Original Message-----

**From:** Dewey, Amy  
**Sent:** Wednesday, September 12, 2018 10:04 AM  
**To:** Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Hurricane Florence and Pork Industry

Issued by NC Pork industry

-----Original Message-----

**From:** Michael Formica [mailto:formicam@nppc.org]  
**Sent:** Wednesday, September 12, 2018 9:55 AM  
**To:** Dewey, Amy <Dewey.Amy@epa.gov>  
**Subject:** Hurricane Florence and Pork Industry

Amy

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My experience has been that regarding hurricanes and North Carolina pork production, environmental and animal rights activists have a long and deep history of conveying false information and manufacturing fictional narratives that do nothing but drain resources from where they are most needed.

If you, or anyone at EPA needs further updates or information on the situation in NC or the efforts of the industry to prepare for Hurricane Florence, don't hesitate to reach out to me.



**Sept. 11, 2018**

Contact:

Jennifer Kendrick

Communications and Outreach manager

[jken@ncpork.org](mailto:jken@ncpork.org)

(Email is requested due to volume and ongoing preparations)

### **MEDIA ADVISORY**

The following resources are available in regard to Hurricane Florence's approach.

Additional updates will be posted to <http://www.ncpork.org/news/> or at our blog, Beyond Bacon, found at <http://www.ncpork.org/category/beyond-bacon-the-blog/>

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Farmers are shifting animals from flood-prone areas, ensuring feed supplies in place

<http://www.ncpork.org/prepared/>

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Here is factual information about Matthew and the buyout program

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### **Beware of misleading agendas**

We are already seeing inaccurate information. We urge continued caution of claims about our farms.

<http://www.ncpork.org/beware/>

Message

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**From:** Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]  
**Sent:** 9/13/2018 9:47:46 AM  
**To:** Drinkard, Andrea [Drinkard.Andrea@epa.gov]  
**Subject:** Fwd: Hurricane Florence and Pork Industry  
**Attachments:** MEDIA ADVISORY Sept 11.pdf; ATT00001.htm

Let's discuss

Sent from my iPhone

Begin forwarded message:

**From:** "Dewey, Amy" <[Dewey.Amy@epa.gov](mailto:Dewey.Amy@epa.gov)>  
**Date:** September 12, 2018 at 10:04:04 AM EDT  
**To:** "Konkus, John" <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>, "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>, "Grantham, Nancy" <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** Hurricane Florence and Pork Industry

Issued by NC Pork industry

-----Original Message-----

From: Michael Formica [<mailto:formicam@nppc.org>]  
Sent: Wednesday, September 12, 2018 9:55 AM  
To: Dewey, Amy <[Dewey.Amy@epa.gov](mailto:Dewey.Amy@epa.gov)>  
Subject: Hurricane Florence and Pork Industry

Amy

I've attached the media advisory that NC Pork issued for your information.

My experience has been that regarding hurricanes and North Carolina pork production, environmental and animal rights activists have a long and deep history of conveying false information and manufacturing fictional narratives that do nothing but drain resources from where they are most needed.

If you, or anyone at EPA needs further updates or information on the situation in NC or the efforts of the industry to prepare for Hurricane Florence, don't hesitate to reach out to me.



**Sept. 11, 2018**

Contact:

Jennifer Kendrick

Communications and Outreach manager

[jken@ncpork.org](mailto:jken@ncpork.org)

(Email is requested due to volume and ongoing preparations)

### **MEDIA ADVISORY**

The following resources are available in regard to Hurricane Florence's approach.

Additional updates will be posted to <http://www.ncpork.org/news/> or at our blog, Beyond Bacon, found at <http://www.ncpork.org/category/beyond-bacon-the-blog/>

### **Statement on hurricane preparations**

Farmers are shifting animals from flood-prone areas, ensuring feed supplies in place

<http://www.ncpork.org/prepared/>

### **A primer on lagoons and flooding**

Many are unfamiliar with anaerobic lagoon design and terminology in storm events. Here is a guide.

<http://www.ncpork.org/primer/>

### **Matthew, and the buyout program**

Here is factual information about Matthew and the buyout program

<http://www.ncpork.org/buyout/>

### **Beware of misleading agendas**

We are already seeing inaccurate information. We urge continued caution of claims about our farms.

<http://www.ncpork.org/beware/>

Message

---

**From:** Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]  
**Sent:** 9/18/2018 11:07:05 AM  
**To:** EOC Public Information [EOC\_Public\_Information@epa.gov]; EOC\_Manager, [EOC\_Manager@epa.gov]; Lincoln, Larry [Lincoln.Larry@epa.gov]; 'Harris-Young, Dawn' [harris-young.dawn@epa.gov]; EOC GOV [EOC\_GOV@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]; Bowles, Jack [Bowles.Jack@epa.gov]; Kent, Alison [kent.alison@epa.gov]; Konkus, John [konkus.john@epa.gov]; Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]  
**Subject:** FW: Advisory at 9 p.m. on Sept. 17 (with photos, including of breach)

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Personal Phone / Ex. 6 (mobile)**

---

**From:** Bennett, Tate  
**Sent:** Tuesday, September 18, 2018 6:26 AM  
**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Fwd: Advisory at 9 p.m. on Sept. 17 (with photos, including of breach)

Begin forwarded message:

**From:** Michael Formica <formicam@nppc.org>  
**Date:** September 17, 2018 at 9:37:57 PM EDT  
**To:** "Elizabeth Tate Bennett (Bennett.Tate@epa.gov)" <Bennett.Tate@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>, "Dewey, Amy" <Dewey.Amy@epa.gov>, "konkus.john@epa.gov" <konkus.john@epa.gov>, "Park, Susan" <Park.Susan@epa.gov>  
**Subject:** FW: Advisory at 9 p.m. on Sept. 17 (with photos, including of breach)

FYI

---

**From:** Andy Curliss <acurliss@ncpork.org>  
**Sent:** Monday, September 17, 2018 9:17 PM  
**To:** Andy Curliss <acurliss@ncpork.org>  
**Subject:** Advisory at 9 p.m. on Sept. 17 (with photos, including of breach)

Link:  
<http://www.ncpork.org/advisory5/>

PDF attached.

Copied here:

# Advisory on Hurricane Florence – Sept. 17 at 9 p.m.

Posted on September 17, 2018



The historic flooding in the aftermath of Hurricane Florence has continued to cause widespread impacts across eastern North Carolina, including affecting at least a dozen of our hog farms.

Significant efforts continue in order to provide feed and care for animals and to ensure safety for farm families and employees.

We are currently aware of the following impacts:

- One lagoon breach occurred on a small farm in Duplin County. An on-site inspection showed that solids remained in the lagoon. The roof of an empty barn on the farm was also damaged. A photograph of the lagoon and barns, taken today, is provided below.
- Four lagoons have been inundated by flood waters.
- Seven lagoons are at capacity due to rainfall and appear to have overtopped.

We do not believe, based on on-farm assessments to date and industrywide surveying, that there are widespread impacts to the more than 2,100 farms with more than 3,000 anaerobic treatment lagoons in the state. Waters from the record-shattering storm are rising in some places and receding in others, and we expect further impacts to be reported as conditions and access allows.

## **A note to the media**

We will continue to provide advisory updates as soon as is practicable.

Communications in the field remain sporadic and our primary attention remains on logistical and operational support.

We are providing additional information and resources below.

## **Key terms**

We track the U.S. EPA and state of North Carolina terminology.

**Lagoons:** Waste from hog farms is treated in anaerobic lagoons, then applied to nearby fields as fertilizer on a crop in accordance with strict state regulations. “Lagoon” is not a term created by the pork industry. It reflects the language used by the EPA to describe

these treatment systems. It is incorrect to refer to hog lagoons as cesspools, which is a separate treatment system.

**Breach:** A breach is a structural failure of a lagoon — the lagoon walls give way and no longer hold back all of the lagoon contents. This is rare. During Hurricane Matthew, one farm experienced a partial lagoon breach. During Hurricane Floyd, six lagoons were breached.

**Inundation:** When heavy rains cause major rivers to overflow, entire communities can be inundated with water. When a lagoon is inundated, the walls remain intact, but floodwater rises over the sides and fills the lagoon. By design, solids are stored and remain at the bottom of the lagoon, and the liquids at the top are heavily diluted, minimizing the environmental impact.

**Overtop:** Severe, heavy rainfall may cause a lagoon to reach capacity and overflow, or overtop. Every hog farm in the state must maintain a minimum buffer of 19 inches to allow for significant rain events. This buffer is known as **freeboard** and it is designed to minimize the risk of a lagoon overtopping. Many lagoons maintain much more freeboard space, especially as hurricane season approaches.

### Photos of hog farm conditions

At top left, farm with a lagoon breach and damaged empty barn in Duplin County (separately provided below). Photo at bottom right is from Sampson County.



### Jones County photo

The Associated Press published a photo on Sunday, Sept. 16, of a farm with an inundated lagoon in Jones County. We received numerous inquiries about the status of the farm. The water surrounding the barns was not deep and there has been continued access to the barns. At right, is a photo taken at the barns on the morning of Monday, Sept. 17.



*A hog farm is surrounded with floodwaters from Hurricane Florence near Trenton, N.C., Sunday, Sept. 16, 2018. (AP Photo/Steve Delaney)*



### **Duplin County photo**

Duplin County hog farm with a lagoon breach and damaged empty barn photographed Sept. 17, 2018. Breach is shown at top right of lagoon.





### **In context: Hurricane Matthew**

To put the damage from Hurricane Florence in context, it may be useful to consider the impact caused by Hurricane Matthew in 2016. That was an equally devastating storm that caused more than \$1 billion in damage and resulted in 26 deaths in North Carolina.

Since Hurricane Floyd in 1999, the industry has taken significant steps to minimize the threat of flooding on North Carolina hog farms. This includes [the permanent closing of 334 hog lagoons](#) located in flood plains.

### **Impact on Hog Farms by Hurricane Matthew**

- 1 partial lagoon breach on an inactive hog farm
- 14 lagoons inundated by floodwaters
- No lagoons overtopped
- No impact to more than 99.5% of active lagoons in North Carolina

### **Impact on Municipal Wastewater Treatment Plants**

Municipal wastewater treatment plants spilled more than 154 million gallons of raw, untreated human waste into the state's waterways.

### **State: Hurricane Matthew had “Minimal and Temporary” Impact on Water Quality**

Following Hurricane Matthew, the Division of Water Resources conducted extensive monitoring of waterways across eastern North Carolina. [Link to the complete report.](#)

It reached the following conclusion:

*“After reviewing the data collected, and comparing that to precipitation amounts, river levels and known areas of flooding, the overall impacts of Hurricane Matthew on surface water quality were initially minimal and temporary, and the long-term effects appear to be similar to previous storms and long-term historical conditions. While many eastern North Carolina areas were inundated by floodwaters and incidents of spills, breaches or waste facility shutdowns were reported, the amount of water discharged into the river basins resulted in a diluting effect, which primarily resulted in lower than normal concentrations of various pollutants.”*

### **North Carolina hog farms**

## **N.C. Hog Farms**

- More than 2,100 permitted hog farms
- More than 3,300 active lagoons
- No hog farms have been built in North Carolina since 1997

## **N.C. Swine Inventory (June 2018)**

- Under 50 pounds: 3 million (37%)
- 50-119 pounds: 7 million (19%)
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- 180+ pounds: 3 million (15%)
- Breeding Stock: 900,000 (10%)
- Total: 9 million

## **A word of caution**

We urge the media to exercise caution when reporting about impacts of Hurricane Florence on North Carolina hog farms. In advance of the storm, and since its onset, the North Carolina Pork Council has seen widespread instances of inaccurate reporting in the media about the pork industry.

In previous years, we have seen photos of municipal waste plants, poultry houses and other agricultural facilities inaccurately labeled as pig farms. We have seen barns that have been empty for multiple years characterized as active hog farms. We urge caution, especially in a breaking news environment where initial information is often inaccurate.

It is precisely in these first hours and days that activists with an agenda seek to exploit the media – or the media simply gets it wrong. Our request: Beware of what you hear about hog farms during Hurricane Florence.

## **Additional information**

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The storm's threat: <http://www.ncpork.org/concern/>

--

Andy Curliss

CEO

North Carolina Pork Council

O: Personal Phone / Ex. 6

f: 919.510.8546

t: @acurliss



Message

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**From:** Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]  
**Sent:** 9/18/2018 10:53:24 AM  
**To:** Bennett, Tate [Bennett.Tate@epa.gov]  
**Subject:** RE: Advisory at 9 p.m. on Sept. 17 (with photos, including of breach)

Thanks

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Personal Phone / Ex. 6 (mobile)**

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**From:** Michael Formica <formicam@nppc.org>  
**Date:** September 17, 2018 at 9:37:57 PM EDT  
**To:** "Elizabeth Tate Bennett (Bennett.Tate@epa.gov)" <Bennett.Tate@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>, "Dewey, Amy" <Dewey.Amy@epa.gov>, "konkus.john@epa.gov" <konkus.john@epa.gov>, "Park, Susan" <Park.Susan@epa.gov>  
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Link:  
<http://www.ncpork.org/advisory5/>

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Sept. 17 at 9 p.m.

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*A hog farm is surrounded with floodwaters from Hurricane Florence near Thomas, N.C., Sunday, Sept. 16, 2018. (AP Photo/Steve Delaney)*



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Andy Curliss

CEO

North Carolina Pork Council

O: Personal Phone / Ex. 6

f: 919.510.8546

t: @acurliss



Message

---

**From:** Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]  
**Sent:** 9/13/2018 9:47:31 AM  
**To:** Thomas, Latosha [Thomas.Latosha@epa.gov]  
**Subject:** Fwd: Hurricane Florence and Pork Industry  
**Attachments:** MEDIA ADVISORY Sept 11.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

**From:** "Dewey, Amy" <[Dewey.Amy@epa.gov](mailto:Dewey.Amy@epa.gov)>  
**Date:** September 12, 2018 at 10:04:04 AM EDT  
**To:** "Konkus, John" <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>, "Block, Molly" <[block.molly@epa.gov](mailto:block.molly@epa.gov)>, "Grantham, Nancy" <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** Hurricane Florence and Pork Industry

Issued by NC Pork industry

-----Original Message-----

From: Michael Formica [<mailto:formicam@nppc.org>]  
Sent: Wednesday, September 12, 2018 9:55 AM  
To: Dewey, Amy <[Dewey.Amy@epa.gov](mailto:Dewey.Amy@epa.gov)>  
Subject: Hurricane Florence and Pork Industry

Amy

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**Sept. 11, 2018**

Contact:

Jennifer Kendrick

Communications and Outreach manager

[jken@ncpork.org](mailto:jken@ncpork.org)

(Email is requested due to volume and ongoing preparations)

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**Sent:** 9/17/2018 10:29:51 PM  
**To:** Hull, George [Hull.George@epa.gov]; Shiffman, Cari [Shiffman.Cari@epa.gov]  
**CC:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]  
**Subject:** FW: Urgent! NC waiver letters

See below – Ryan asked a question so I sent him the draft release – understand that Susan or Patrick may be trying to call him thanks ng

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
**Personal Phone / Ex. 6 (mobile)**

---

**From:** Grantham, Nancy  
**Sent:** Monday, September 17, 2018 6:29 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>  
**Cc:** Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Willis, Sharnett <Willis.Sharnett@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** RE: Urgent! NC waiver letters

Ryan,

Below if the draft press release for this – also think that Susan or Patrick will try to call you

**Deliberative Process / Ex. 5**

**Nancy Grantham**  
**Office of Public Affairs**  
**US Environmental Protection Agency**  
**202-564-6879 (desk)**  
Personal Phone / Ex. 6 **(mobile)**

---

**From:** Jackson, Ryan  
**Sent:** Monday, September 17, 2018 6:26 PM  
**To:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>  
**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Willis, Sharnett <Willis.Sharnett@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>  
**Subject:** Re: Urgent! NC waiver letters

We will be on a flight for the next 3 hours and don't want to delay. Deliberative Process / Ex. 5 What's the new waiver request and is it for the whole state.

Ryan Jackson  
Chief of Staff  
U.S. EPA  
Personal Phone / Ex. 6

On Sep 17, 2018, at 5:20 PM, Sauerhage, Maggie <Sauerhage.Maggie@epa.gov> wrote:

Good afternoon Ryan,

Just giving you a heads up that North Carolina has requested another fuel waiver and they'd like to get it signed tonight. Once we have the waiver + OGC/OAR/DOE approval, I will share with you for review and approval for signing.

Thanks,  
Maggie

Maggie Sauerhage  
Office of Public Affairs  
U.S. Environmental Protection Agency  
Office: (202) 564-0443  
Cell: Personal Phone / Ex. 6

---

**From:** Branning, Hannah  
**Sent:** Monday, September 17, 2018 4:58 PM  
**To:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>  
**Cc:** Shiffman, Cari <Shiffman.Cari@epa.gov>  
**Subject:** Fwd: Urgent! NC waiver letters

Maggie,

Heads up we have a fuel waiver coming through. Who is around to get this up for signature?

Thanks!

Hannah Branning, MSc.  
Special Assistant  
Office of Enforcement and Compliance Assurance  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave NW MC 2201A  
Washington, DC 20460

Desk: (202) 564-3317 | Cell: Personal Phone / Ex. 6

Begin forwarded message:

**From:** "Miller, Anthony" <[Miller.Anthony@epa.gov](mailto:Miller.Anthony@epa.gov)>  
**Date:** September 17, 2018 at 4:55:31 PM EDT  
**To:** "Shiffman, Cari" <[Shiffman.Cari@epa.gov](mailto:Shiffman.Cari@epa.gov)>, "Branning, Hannah" <[Branning.Hannah@epa.gov](mailto:Branning.Hannah@epa.gov)>  
**Cc:** "Brooks, Phillip" <[Brooks.Phillip@epa.gov](mailto:Brooks.Phillip@epa.gov)>  
**Subject:** Urgent! NC waiver letters

Working on a waiver now. You all around for a little while?

Tony Miller  
Chief/Chemical Engineer, P.E.  
OECA/AED/Fuels Enforcement Branch (8MSU)  
1595 Wynkoop Street, Rm 2222  
Denver, Colorado 80202

Tel: 303-312-7161  
Fax: 303-312-6003

Confidential: This transmission may contain deliberative, attorney-client, attorney work product or otherwise privileged material. Do not release under FOIA without appropriate review. If this message has been received by you in error, you are instructed to delete this message from your machine and all storage media whether electronic or hard copy.

---

**From:** Le, Madison  
**Sent:** Monday, September 17, 2018 2:53 PM  
**To:** Miller, Anthony <[Miller.Anthony@epa.gov](mailto:Miller.Anthony@epa.gov)>; Connell, John <[Connell.JohnC@epa.gov](mailto:Connell.JohnC@epa.gov)>; Kodish, Jeff <[Kodish.Jeff@epa.gov](mailto:Kodish.Jeff@epa.gov)>; Schefski, Melissa <[Schefski.Melissa@epa.gov](mailto:Schefski.Melissa@epa.gov)>  
**Cc:** Gustafson, Kurt <[Gustafson.Kurt@epa.gov](mailto:Gustafson.Kurt@epa.gov)>; McKenna, Chris <[McKenna.Chris@epa.gov](mailto:McKenna.Chris@epa.gov)>  
**Subject:** FW: NC waiver letters  
**Importance:** High

FYI – I've already sent an email to the IRS.

We will coordinate OAR, OGC and DOE concurrence.

Can you wrap up the approval letter edits based NC attached letter?

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**From:** Worley, Gregg

**Sent:** Monday, September 17, 2018 4:46 PM

**To:** Brooks, Phillip <[Brooks.Phillip@epa.gov](mailto:Brooks.Phillip@epa.gov)>; Le, Madison <[Le.Madison@epa.gov](mailto:Le.Madison@epa.gov)>;

Gustafson, Kurt <[Gustafson.Kurt@epa.gov](mailto:Gustafson.Kurt@epa.gov)>

**Cc:** Davis, Amber <[Davis.Amber@epa.gov](mailto:Davis.Amber@epa.gov)>; Kemker, Carol <[Kemker.Carol@epa.gov](mailto:Kemker.Carol@epa.gov)>

**Subject:** FW: NC waiver letters

**Importance:** High

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**From:** Abraczinskas, Michael [<mailto:michael.abraczinskas@ncdenr.gov>]

**Sent:** Monday, September 17, 2018 4:44 PM

**To:** Banister, Beverly <[Banister.Beverly@epa.gov](mailto:Banister.Beverly@epa.gov)>; Kemker, Carol  
<[Kemker.Carol@epa.gov](mailto:Kemker.Carol@epa.gov)>; Worley, Gregg <[Worley.Gregg@epa.gov](mailto:Worley.Gregg@epa.gov)>

**Cc:** Davis, Amber <[Davis.Amber@epa.gov](mailto:Davis.Amber@epa.gov)>; Michael Pjetraj  
<[michael.pjetraj@ncdenr.gov](mailto:michael.pjetraj@ncdenr.gov)>

**Subject:** NC waiver letters

**Importance:** High

Please find attached the FINAL signed diesel waiver request to EPA.

Also attached is a DRAFT request to the IRS. Please let us know if we have it addressed to the correct person at the IRS.

Thanks!

-Mike

<image001.png>

<NC\_to\_EPA\_diesel\_waiver\_9-17-18.pdf>

<NC- IRS Waiver Request Red-dyed Diesel 091718.docx>



## Traylor, Patrick

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**From:** Schefski, Melissa  
**Sent:** Tuesday, September 11, 2018 5:38 PM  
**To:** Brooks, Phillip; Chapman, Apple  
**Cc:** Kodish, Jeff; Miller, Anthony; Connell, John  
**Subject:** FW: Request for RVP Fuel Waiver for North Carolina  
**Attachments:** ATT00001.txt

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**From:** Le, Madison  
**Sent:** Tuesday, September 11, 2018 3:23 PM  
**To:** Kodish, Jeff <Kodish.Jeff@epa.gov>; Schefski, Melissa <Schefski.Melissa@epa.gov>; Miller, Anthony <Miller.Anthony@epa.gov>  
**Cc:** Gustafson, Kurt <Gustafson.Kurt@epa.gov>; McKenna, Chris <McKenna.Chris@epa.gov>  
**Subject:** FW: Request for RVP Fuel Waiver for North Carolina

FYI

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**From:** Phillips, Brian [<mailto:brian.phillips@ncdenr.gov>]  
**Sent:** Tuesday, September 11, 2018 4:55 PM  
**To:** Le, Madison <[Le.Madison@epa.gov](mailto:Le.Madison@epa.gov)>  
**Subject:** Request for RVP Fuel Waiver for North Carolina

Madison,

On behalf of the Honorable Roy Cooper, Governor of the State of North Carolina, North Carolina would like to request a fuel waiver for the RVP requirements in anticipation of Hurricane Florence. This request intended to assure an adequate supply gasoline throughout North Carolina as Hurricane Florence approaches.

A formal written request will be sent tomorrow morning.

Thank you,

Brian



Message

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**From:** Bowles, Jack [Bowles.Jack@epa.gov]  
**Sent:** 9/17/2018 11:20:39 PM  
**To:** Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]; Branning, Hannah [Branning.Hannah@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Molina, Michael [molina.michael@epa.gov]; DeBell, Kevin [debell.kevin@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Wooden-Aguilar, Helena [Wooden-Aguilar.Helena@epa.gov]; Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]; EOC Public Information [EOC\_Public\_Information@epa.gov]; Lee, Eugene [Lee.Eugene@epa.gov]; Oh, Peter [Oh.Peter@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Hull, George [Hull.George@epa.gov]; Shiffman, Cari [Shiffman.Cari@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]; Lewis, Josh [Lewis.Josh@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Harlow, David [harlow.david@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Wright, Peter [wright.peter@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Eoc, Epahq [Eoc.Epahq@epa.gov]; EOC\_Manager, [EOC\_Manager@epa.gov]; Johnson, Laura-S [Johnson.Laura-S@epa.gov]; Pritchard, Eileen [Pritchard.Eileen@epa.gov]; Burton, Tamika [burton.tamika@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Gaines, Cynthia [Gaines.Cynthia@epa.gov]; Willis, Sharnett [Willis.Sharnett@epa.gov]; EOC Public Information [EOC\_Public\_Information@epa.gov]; EOC GOV [EOC\_GOV@epa.gov]  
**Subject:** FW: Fuel Waiver for North Carolina  
**Attachments:** Signed NC Fuel Waiver 9.17.18.pdf

FYI, transmittal email to NC governor's office and NC DENR.

Best,  
Jack

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**From:** Bowles, Jack  
**Sent:** Monday, September 17, 2018 7:16 PM  
**To:** 'kristi.jones@nc.gov' <kristi.jones@nc.gov>; 'jim.mccleskey@nc.gov' <jim.mccleskey@nc.gov>; 'michael.regan@ncdenr.gov' <michael.regan@ncdenr.gov>; michael.abraczinskas@ncdenr.gov; 'sheila.holman@ncdenr.gov' <sheila.holman@ncdenr.gov>  
**Cc:** Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Cook-Shyovitz, Becky <Cook-Shyovitz.Becky@epa.gov>  
**Subject:** Fuel Waiver for North Carolina

Good Evening,

U.S. EPA Acting Administrator Andrew Wheeler has signed a fuel waiver for the state of North Carolina, in response to the state's request of September 17, 2018. The waiver allows the use of red dyed 15 parts per million (ppm) non-road locomotive and marine (NRLM) diesel fuel in diesel-powered highway vehicles in the State of North Carolina. This waiver is needed due to diesel fuel supply interruptions given the unprecedented magnitude of rainfall from Hurricane Florence and the resulting devastating impacts to multiple population centers throughout the State.

The signed waiver is attached. If you have any questions, please do not hesitate to contact any of us here at EPA.

Best Regards,

*Jack Bowles*

Director of State & Local Relations  
U.S. Environmental Protection Agency  
202-564-3657 (office) | Personal Phone / Ex. 6 (mobile)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
THE ADMINISTRATOR

September 17, 2018

The Honorable Roy Cooper  
Governor of North Carolina  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699

Re: September 17, 2018 Fuel Waiver Concerning the Use of Red Dyed 15 ppm Non-Road Diesel Locomotive and Marine Fuel in the State of North Carolina

Dear Governor Cooper:

On September 17, 2018, I received a request for a waiver under the Clean Air Act (CAA) made on your behalf to allow the use of red dyed 15 parts per million (ppm) non-road locomotive and marine (NRLM) diesel fuel in diesel-powered highway vehicles in the State of North Carolina. The request explains that this waiver is needed due to diesel fuel supply interruptions given the unprecedented magnitude of rainfall from Hurricane Florence and the resulting devastating impacts to multiple population centers throughout the State.

As you know, regulations promulgated under the CAA require the use of Ultra Low Sulfur Diesel (ULSD) fuel meeting 15 ppm sulfur specifications in diesel-powered highway vehicles. The regulations also require diesel fuel used in highway vehicles to be free of visible evidence of dye solvent red 164 (which has a characteristic red color in diesel fuel), except for motor vehicle diesel fuel that is used in a manner that is tax exempt under section 4082 of the Internal Revenue Code. *See* 40 C.F.R. § 80.520. The fuel supply situation in North Carolina and along evacuation routes remains impacted due to Hurricane Florence, and the emergency operations now underway will continue to deplete already constrained supplies of compliant highway diesel fuel.

The U.S. Environmental Protection Agency, in consultation with the U.S. Department of Energy, has evaluated the impact of fuel supplies as the result of disruptions to the fuel distribution system. Based on this evaluation, the EPA has determined, and the DOE has concurred, that it is necessary to take the following action to minimize or prevent disruption of the supply of diesel fuel for diesel-powered highway vehicles in the State.

I have determined that an "extreme and unusual fuel [ ] supply circumstance" exists that will prevent the distribution of an adequate supply of compliant fuel for use in diesel-powered highway vehicles in the State of North Carolina due to Hurricane Florence. CAA §


211(c)(4)(C)(ii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(I). This extreme and unusual fuel circumstance is the result of Hurricane Florence, an event that could not reasonably have been foreseen or prevented, and is not attributable to a lack of prudent planning on the part of suppliers of the fuel to the State. CAA § 211(c)(4)(C)(ii)(II), 42 U.S.C. § 7545(c)(4)(C)(ii)(II). Furthermore, I have determined that it is in the public interest to grant this waiver and that this waiver applies to the smallest geographic area necessary to address the fuel supply circumstances. CAA § 211(c)(4)(C)(ii)(III) and (iii)(I), 42 U.S.C. § 7545(c)(4)(C)(ii)(III) and (iii)(I).

Therefore, to minimize or prevent disruptions to the supply of fuel for diesel-powered highway vehicles, I am issuing this waiver of the highway diesel fuel red dye requirements. Under this waiver, the EPA will allow the sale, distribution and use of red dyed NRLM diesel fuel in the State of North Carolina for use in highway diesel vehicles, but the diesel fuel must meet the 15 ppm standard set forth at 40 C.F.R. § 80.520.

This waiver is effective immediately and will continue through September 28, 2018. Diesel fuel distributed under this waiver may not be introduced into terminal storage tanks from which diesel is dispensed into trucks for distribution to retail outlets after September 28, 2018. Any diesel meeting the conditions of this waiver that is stored in terminal storage tanks for distribution to retail outlets and wholesale purchaser-consumers in North Carolina on September 28, 2018, may be distributed and sold until the supply is depleted. Likewise, retailers and wholesale purchaser-consumers in the State may continue selling or dispensing diesel fuel that meets the conditions of this waiver after September 28, 2018, until their supplies are depleted. This waiver applies only to the applicable federal requirements cited above. Please note that the EPA does not have authority to waive any requirements by the U.S. Department of the Treasury and this waiver does not extend to applicable Internal Revenue Service regulations.

The EPA will continue to work with the DOE and affected states to monitor the impact of Hurricane Florence on the fuel supply situation. This waiver applies only to the applicable federal requirements cited above. Other state or local requirements or restrictions related to this matter may need to be addressed by the appropriate authorities. Should conditions warrant, this waiver may be modified, terminated or extended as warranted. If you have questions you may call me, or your staff may call Phillip A. Brooks at (202) 564-0652.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Andrew R. Wheeler", with a long horizontal flourish extending to the right.

Andrew R. Wheeler  
Acting Administrator

cc: The Honorable Rick Perry, Secretary of Energy